

**Security Council**

Distr.: General
5 November 2012

Original: English

Letter dated 29 October 2012 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Further to our letters of 22 September 2012 and 3 October 2012 which reported the acts of aggression carried out by the Syrian Government between 20 September and 3 October 2012, I am writing to inform you, under instructions from my Government, about the recent violations committed by the Syrian Government on the Turkish border, targeting our national security in flagrant breach of international law.

Despite several warnings communicated to Syria through diplomatic channels, the shelling by the Syrian army resulted in the deaths of five Turkish citizens, all women and children, on 3 October 2012. The violation of our borders continued even after this tragic event, for which it has publicly acknowledged its responsibility. A list covering the acts of aggression carried out between 4 and 19 October 2012 is attached herewith (see annex).

Turkey is fully aware of the intentions of the Syrian Government which were put into practice through various means of aggression and provocation, such as the targeting of innocent civilians across the border.

Turkey will continue to exercise its rights emanating from international law in full compliance with the established rules and regulations, in order to protect its citizens and national borders.

I would be grateful if the text of the present letter and the annex thereto could be circulated as a document of the Security Council.

(Signed) Y. Halit Çevik
Ambassador
Permanent Representative



Annex to the letter dated 29 October 2012 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

**Chronology of the events on the Turkish-Syrian border,
4-19 October 2012**

1. 4 October 2012 (Altınözü/Hatay): One mortar shell fell in an uninhabited area (approximately 1,200 m from the border) near the Hirbi Çiftliği settlement, situated within Hacıpaşa district.
2. 5 October 2012 (Yayladağı/Hatay): Around 1600, one mortar shell fell within the area of responsibility of the Belengöz military border post, and three bullets bouncing from the Syrian side passed over a Turkish military vehicle on the move.
3. 6 October 2012 (Yayladağı/Hatay): Around 0700, one mortar shell fell within the area of responsibility of the Güveççi military border post.
4. 6 October 2012 (Yayladağı/Hatay): At 1130, one mortar shell fell within the area of responsibility of the Güveççi military border post.
5. 6 October 2012 (Yayladağı/Hatay): At 1430, one mortar shell fell within the area of responsibility of the Belengöz military border post.
6. 7 October 2012 (Akçakale/Şanlıurfa): Around 1600, one cannon shell fell on the premises of the TMO building.
7. 7 October 2012 (Altınözü/Hatay): Around 2000, one mortar shell fell in an uninhabited area within Hacıpaşa district.
8. 8 October 2012 (Altınözü/Hatay): Around 1505, one mortar shell fell 150 m inside the Turkish border (2 km south of Hacıpaşa district).
9. 17 October 2012 (Altınözü/Hatay): Around 1800, one mortar shell fell 150 m from the Çarşamba Çiftliği settlement, situated within Hacıpaşa district (3 m on the Turkish side of the Asi River, the border line between Turkey and Syria).
10. 19 October 2012 (Altınözü/Hatay): Around 1305, one cannon shell that fell 30 m from the Ziyaret military border post (400 m from the Turkish-Syrian border) did not explode.

**Security Council**

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15 November 2012
English
Original: Spanish

**Letter dated 26 October 2012 from the Chargé d'affaires a.i. of the
Permanent Mission of Honduras to the United Nations addressed
to the President of the Security Council**

On instructions from my Government, I have the honour to write to you in your capacity as President of the Security Council to transmit to you a communication dated 24 October 2012 addressed to you by Arturo Corrales Álvarez, Secretary of State in the Office of External Relations, which contains the second report of the Government of Honduras on the Judgment of the International Court of Justice of 11 September 1992 in the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening), dated 24 October 2012 (see annex), and to request that you bring it to the attention of the members of the Security Council and circulate it as a document of the Council.

(Signed) Marco A. Suazo
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.



**Annex to the letter dated 26 October 2012 from the Chargé
d'affaires a.i. of the Permanent Mission of Honduras to the
United Nations addressed to the President of the Security Council**

Tegucigalpa, M.D.C., 24 October 2012

Subject: Report on the judgment of the International Court of Justice of 11 September 1992

I have the honour to write to you in connection with the submission to the Security Council of a new report on the status of the Judgment of the International Court of Justice of 11 September 1992 (Land, Island and Maritime Frontier Dispute between El Salvador and Honduras: Nicaragua intervening) (see enclosure).

As will be recalled, on 18 January 2002 the Government of Honduras submitted a report to the Security Council, together with a request for assistance under Article 94, paragraph 2, of the Charter of the United Nations with regard to the status of the Judgment of the International Court of Justice of 11 September 1992 in the case concerning the Land, Island and Maritime Frontier Dispute between El Salvador and Honduras, Nicaragua intervening; and on 27 August 2002 the Government of El Salvador informed the Council that it had no objection to the Council's taking up the request of the Government of the Republic of Honduras.

Ten years having elapsed since that time, I am pleased to report to the Security Council that, as far as the land border is concerned, once Honduras had exercised its right under the demarcation agreement* to request the Pan American Institute of Geography and History to appoint an arbiter to clear the way for the work of demarcation, which had been paralysed for ten years, the Institute appointed Mr. John Gates, an engineer, as arbiter in April 2003, and he discharged his functions from May 2003 to August 2004.

Following the arbiter's work, the El Poy presidential declaration of 18 April 2006 stated in the first and fourth preambular paragraphs that: (1) the border had been permanently demarcated on the basis of the fixed points defined by the General Peace Treaty and the judgment of the International Court of Justice, and these had been duly positioned on the basis of highly precise geodetic coordinates and identified in situ with markers that complied with established norms and procedures; and (4) on the same date and in the same place a document was drawn up recording that the Special Demarcation Commission had completed the work of installing markers to indicate the fixed points defined by the General Peace Treaty and the judgment of the International Court of Justice.

As regards Conejo Island, on 10 September 2002 the Government of El Salvador filed with the International Court of Justice an application for revision of the 11 September 1992 judgment with respect to the sector containing the mouth of the Goascorán River and appended Conejo Island, at the end of which a beach forms at low tide between the island and the Honduran coast. El Salvador had hoped that, if the Court declared its application admissible, the Court would issue a new ruling adjudicating to it the Goascorán River mouth sector and appended Conejo Island.

* Agreement between the Republics of El Salvador and Honduras to establish the Special El Salvador-Honduras Demarcation Commission to demarcate the border between El Salvador and Honduras, pursuant to the General Peace Treaty of 30 October 1980.

The Court declared this application inadmissible in its judgment of 18 December 2003, and, in the light of the failed application, the Government of El Salvador invoked another artificial claim to Conejo Island, which was rejected by the Government of Honduras.

As to the co-sovereignty regime and the delimitation of the maritime spaces in the Pacific Ocean (territorial sea, exclusive economic zone and continental shelf), the Government of Honduras has expressed its dissatisfaction with the Government of El Salvador over the lack of implementation of the 11 September 1992 judgment in the interior of the Gulf in the undelimited waters, on the closing line or mouth of the Gulf and as regards the projection of its maritime spaces in the Pacific Ocean from the baseline on the closing line of the Gulf of Fonseca and the free movement of shipping between the State of Honduras and the Pacific Ocean in both directions.

The non-implementation of that judgment is in breach of the norms and principles that the international community has been developing with a view to ensuring that States can coexist in harmony. Implementation of the judgments of the International Court of Justice is mandatory and should be carried out in good faith.

The Government of Honduras hereby requests the Security Council to provide the parties, through the intermediation of the Secretary-General, with any assistance they may request or require from the United Nations in implementing the unfulfilled part of the 11 September 1992 judgment and to keep the Security Council informed of the outcome of its actions. I also suggest to the Security Council that it authorize the Secretary-General to give any assistance considered necessary to the trilateral commission established by the fraternal Governments of Honduras, El Salvador and Nicaragua, to enable the negotiation and functioning of the co-sovereignty regime in the Gulf of Fonseca to resume, with a view to the comprehensive social, economic and environmental development of the Gulf. That regime should encompass freedom of shipping in the broadest sense, security and safety, the development of port infrastructure, the maintenance of shipping lanes, joint tourism development, the security of individuals and their property, and the safety of life at sea.

That assistance should be aimed at establishing a trilateral authority which will assume responsibility for monitoring and enforcing any rules and regulations that are agreed upon and put in place for the well-being of the population of 1 million plus that converges on the Gulf and for the economic development of the three coastal States, thereby encouraging international maritime commerce.

I therefore request that the United Nations Secretariat, the United Nations specialized agencies and friendly States be called on to provide financial, technical and scientific assistance in the effort to make the Bay of Fonseca a zone of peace and economic growth, accompanied by social development and prosperity for the three coastal nations.

I request that you arrange for this letter and the enclosed report to be circulated as a document of the Security Council.

(Signed) Arturo Corrales Álvarez
Secretary of State in the Office of External Relations

Enclosure

Second report of the Government of the Republic of Honduras to the Security Council on the Judgment of the International Court of Justice of 11 September 1992 in the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening)

24 October 2012

The report which the Government of Honduras submitted to the Security Council on 18 January 2002 regarding the unjustified delays of the Government of El Salvador in fully implementing the 11 September 1992 judgment of the International Court of Justice dealt with the following subjects: (1) the land border; (2) the legal status of the Gulf of Fonseca, the islands and the maritime spaces in the Pacific Ocean; and (3) the new island claims of El Salvador in the Gulf of Fonseca.

With regard to the first matter, once Honduras had exercised its right under the demarcation agreement** to request the Pan American Institute of Geography and History to appoint an arbiter to clear the way for the work of demarcation, which had been paralysed for 10 years, the Institute appointed Mr. John Gates, an engineer, as arbiter in April 2003, and he discharged his functions from May 2003 to August 2004.

Following the arbiter's work, the El Poy presidential declaration of 18 April 2006 stated in the first and fourth preambular paragraphs that: (1) the border had been permanently demarcated on the basis of the fixed points defined by the General Peace Treaty and the judgment of the International Court of Justice, and these had been duly positioned on the basis of highly precise geodetic coordinates and identified in situ with markers that complied with established norms and procedures; and (4) on the same date and in the same place a document was drawn up recording that the Special Demarcation Commission had completed the work of installing markers to indicate the fixed points defined by the General Peace Treaty and the judgment of the International Court of Justice.

In spite of this, the Government of El Salvador has published official maps that fail to take into account what the International Court of Justice decided in its judgment of 11 September 1992, even though that judgment delimited the frontier on the basis of geographic coordinates and illustrated it in annexed maps.

As early as 1994, in the first official map it published subsequent to the 11 September 1992 judgment of the International Court of Justice, the State of Honduras adjusted its border area to comply with the General Peace Treaty of 30 October 1980 and the judgment.

In line with the above, on 15 May 2012, the President of the Republic issued executive decree PCM 014-2012 in the Council of Ministers. Article 1 of that decree states that the official map of the Republic of Honduras, with the limits determined in the system of territorial administration, shows the municipalities which border on the land frontier with the Republic of El Salvador, including: in Ocotepeque Department: Ocotepeque, Sinuapa and Mercedes; in Lempira Department: Cololaca, Guarita, San Juan Guarita, Valladolid, La Virtud, Mapulaca, Virginia and Piraera; in

** Agreement between the Republics of El Salvador and Honduras to establish the Special El Salvador-Honduras Demarcation Commission to demarcate the border between El Salvador and Honduras, pursuant to the General Peace Treaty of 30 October 1980.

Intibucá Department: San Antonio, Santa Lucía, Magdalena and Colomoucagua; in La Paz Department: Santa Elena, Yarula, Marcala, Cabañas, Santa Ana, Opatoro, Mercedes de Oriente and San Antonio del Norte; and in Valle Department: Caridad, Aramecina, Goascorán and Alianza. Article 3 provides for the establishment of an inter-agency commission for the comprehensive development of the municipalities situated in the border areas adjoining the Republic of El Salvador, whose work will be coordinated by the Secretary of State in the Office of Planning and External Cooperation.

As to the second matter (the legal status of the Gulf of Fonseca, the islands and the maritime spaces in the Pacific Ocean), the Government of Honduras has expressed its dissatisfaction, in a protest to the Government of El Salvador, over the latter's failure to implement the 11 September 1992 judgment in relation to co-sovereignty in the interior of the Gulf in the undelimited waters, on the closing line or mouth of the Gulf and as regards the projection of its maritime spaces in the Pacific Ocean from the baseline on the closing line of the Gulf of Fonseca and the free movement of shipping between the State of Honduras and the Pacific Ocean in both directions.

With regard to the Bay of La Unión, on 7 August 2000 the Government of Honduras sent a diplomatic note to the Government of El Salvador proposing that the two States, as the sole coastal nations of the Bay, should initiate in a full spirit of fraternity the delimitation thereof through the intermediary of special representatives.

In April 2001 the Government of El Salvador replied that the Honduran proposal was receiving due consideration and reflection. On 10 September 2002 El Salvador filed with the International Court of Justice an application for revision of the 11 September 1992 judgment with respect to the sector containing the mouth of the Goascorán River and appended Conejo Island, at the end of which a beach forms at low tide between the island and the Honduran coast. If the Court had admitted its request, El Salvador had hoped that, if the Court declared its application admissible, the Court would issue a new ruling adjudicating to it the Goascorán River mouth sector and appended Conejo Island. The Court declared this application inadmissible in its judgment of 18 December of 2003, and, in the light of the failed application, the Government of El Salvador invoked another artificial claim to Conejo Island, which was rejected by the Government of Honduras.

As regards the matter of the islands in the Gulf, I would remind the members of the Security Council that the International Court of Justice, in paragraph 431 (2) of its 1992 judgment, decided that the islands shown to be in dispute between the parties are: (i) El Tigre; (ii) Menguera and Meanguerita.

It is therefore evident that the other islands, including Conejo Island, were not in dispute. Each State has exercised sovereignty, ownership and jurisdiction without interruption in relation to the other islands.

As to the delimitation of maritime spaces outside the Bay, in the Pacific Ocean (territorial sea, exclusive economic zone and continental shelf), only once since the Court pronounced judgment has it been possible to have a proper discussion on this subject with El Salvador.

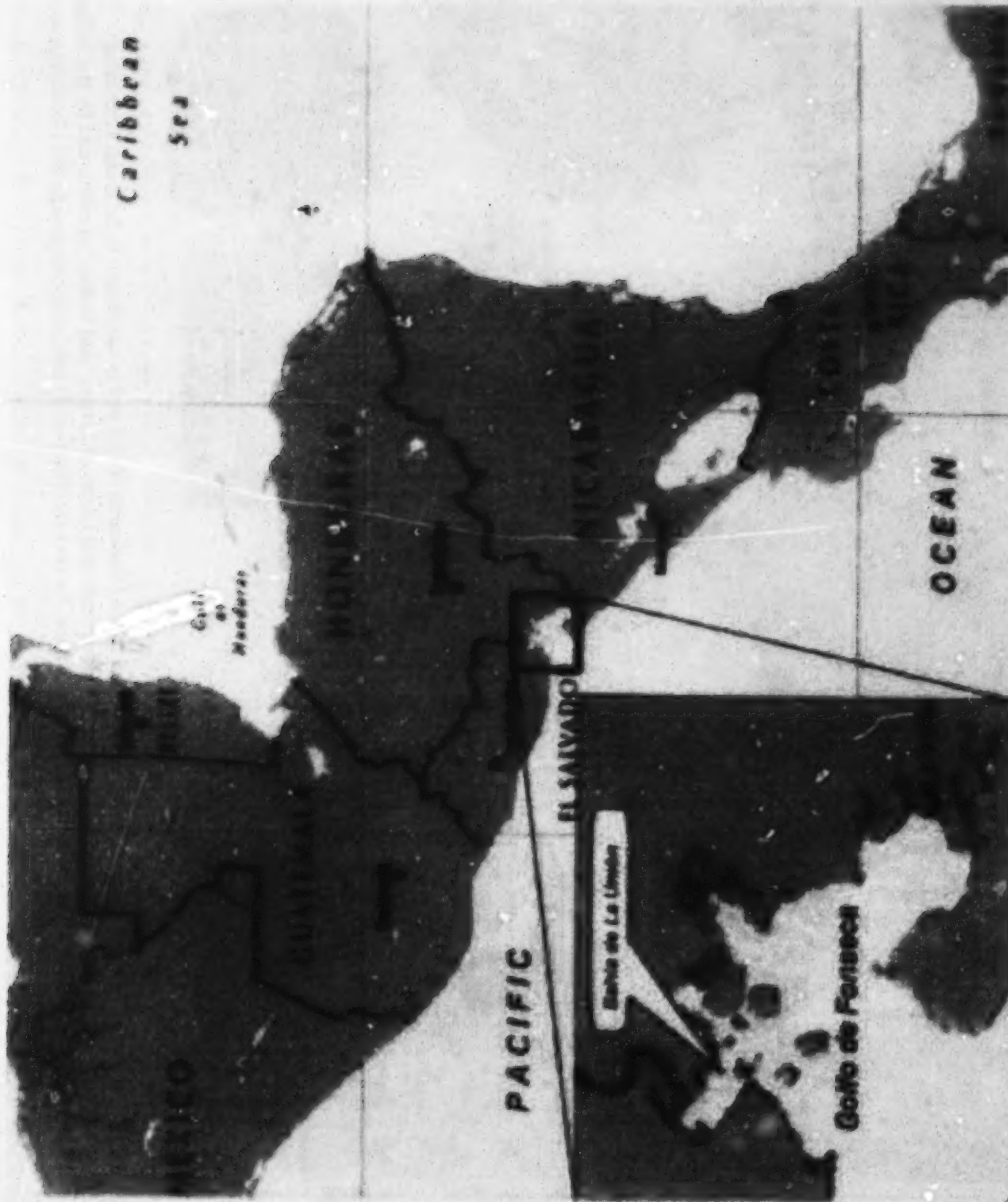
Honduras believes that with the valuable assistance of the United Nations Secretariat it may be feasible to establish a true zone of peace, security,

development and marine environment protection in the Gulf of Fonseca, with the 11 September 1992 judgment of the International Court of Justice as its basis.

Attachments:

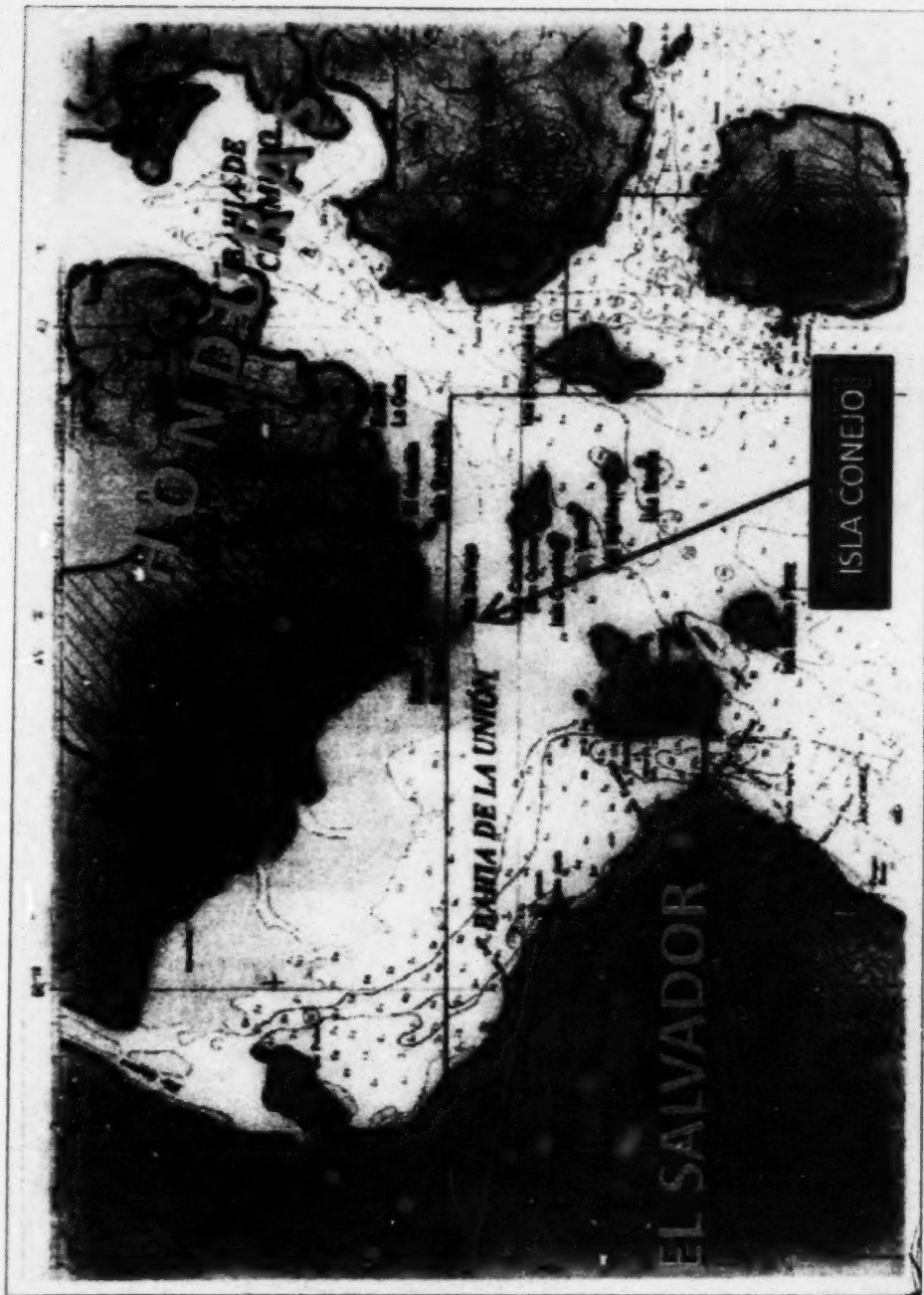
1. Figure showing the location of the Gulf of Fonseca in Central America.
2. Figure showing the Bay of La Unión and Conejo Island, which is appended to the Goascarán sector and is confirmed to be under Honduran sovereignty by the 11 September 1992 judgment of the International Court of Justice, and further so confirmed by the judgment of 18 December 2003 declaring inadmissible the application for revision filed by El Salvador concerning the Goascarán sector.
3. The Honduran coast seen from Conejo Island at low tide: photograph taken by Luis Torres.

Attachment 1



Location of the Gulf of Fonseca in Central America.

Attachment 2



Bay of La Unión and Conejo Island, which is appended to the Goascarán sector and is confirmed to be under Honduran sovereignty by the 11 September 1992 judgment of the International Court of Justice, and further so confirmed by the judgment of 18 December 2003 declaring inadmissible the application for revision filed by El Salvador concerning the Goascarán sector.

Attachment 3



The Honduran coast seen from Conejo Island at low tide: photograph taken by Luis Torres.

**General Assembly
Security Council**Distr.: General
2 November 2012

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**General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East
Jerusalem and the rest of the Occupied
Palestinian Territory****Security Council
Sixty-seventh year****Identical letters dated 1 November 2012 from the Permanent
Observer of Palestine to the United Nations addressed to the
Secretary-General and the President of the Security Council**

I regret to inform you that Israel, the occupying Power, continues its illegal settlement campaign in the Occupied Palestinian Territory, including East Jerusalem, further denigrating the viability of the two-State solution and proving once again its total rejection of international law and the international consensus regarding the basis for a just and peaceful settlement.

Following the recent Israeli declarations regarding plans to expand the illegal settlement of "Gilo", located between East Jerusalem and Bethlehem, by another 797 units, plans have been revealed for the construction of yet another new settlement. The Israeli non-governmental organization Peace Now has reported that the Israeli Government has authorized the construction of this new settlement, which will comprise at least 180 units and is to be constructed in an area near Sur Baher, south of Occupied East Jerusalem. Moreover, last week the Israeli Government announced the intention to construct another 607 units in the settlement of "Pisgat Zeev" in northern Occupied East Jerusalem.

At the same time, illegal settler "outposts" also continue to be constructed throughout the Occupied Palestinian Territory, with the knowledge and support of the Israeli Government. Two new settler "outposts" have been established, one in an area north-west of Ramallah and one in an area north of Qalqilya. Mobile homes have been erected in both areas and they have been connected to infrastructure, electricity, water lines and access roads. The continued establishment of "outposts" and the appeasement of settlers by the Israeli Government, regardless of the demolition orders that the Government claims have been issued, are a further indication of Israel's ongoing attempts to so-call legitimize settlement outposts. At the same time, extremist settlers continue to rampage through the Palestinian Territory, attacking Palestinian civilians and their properties. One of the most recent incidents in this regard involved an assault by settlers on Palestinian farmers,

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including an elderly man, who were harvesting olives, in the village of Jeit, east of Qalqilya.

In addition, Israel, the occupying Power, has persisted with the illegal practice of home demolitions in the Occupied Palestinian Territory. Today, 1 November, the occupying forces demolished a house in the West Bank village of Anata, located north-east of East Jerusalem. This is the sixth time that the house was destroyed after being rebuilt by volunteers this past summer following the last demolition on 23 January 2012. In this regard, it must be reaffirmed that all such wilful destruction of civilian property constitutes a breach of the Fourth Geneva Convention, for which the occupying Power must be held fully responsible.

We condemn all of these deliberate, provocative and unlawful measures by Israel, the occupying Power, aimed at advancing its illegal colonization schemes and entrenching its illegitimate occupation. These actions, which are clearly aimed at altering the demographic composition, character and status of the Palestinian Territory, are further impairing its contiguity, integrity and unity, deepening the separation and isolation of East Jerusalem, and making the prospects for physically achieving the two-State solution based on the pre-1967 borders even more remote. In this regard, the international community, including the Security Council, has a responsibility to uphold international law and hold Israel, the occupying Power, accountable for all of its violations. Only such serious action and resolve by the international community can help to salvage the two-State solution and the prospects for achieving a just, lasting and comprehensive peace and security.

At this time, I must also draw your attention to the fact that Israel continues to launch air strikes and other military assaults against the Gaza Strip. On Sunday, 28 October, the Israeli occupying forces launched an attack by war planes that killed a Palestinian man, Suleiman Qarra, age 27, in the town of Khan Younis and also caused property damage. In addition, Palestinian fishermen continue to be targeted by Israel naval gunboat attacks, threatening their safety, their lives and their livelihoods. In this regard, Fahmi Abu Riash, a 22-year-old Palestinian fishermen, sadly lost his life on 28 September 2012, after Israeli forces directly fired at him while he was in his fishing boat just metres from the shore in the northern Gaza Strip, bringing an end to his young life and an end to the livelihood of his family.

For all of these violations of international law, including humanitarian and human rights law, Israel, the occupying Power, must be held responsible. The international community, including the Security Council, must no longer tolerate such deliberate breaches of the Charter of the United Nations, relevant resolutions and instruments of international law, which are causing great hardship and suffering for the Palestinian people and destroying the chances for peace between Palestine and Israel and in the region as a whole. Urgent action is required to rectify this unjust and dangerous situation.

This letter is in follow-up to our previous 436 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 24 October 2012 (A/ES-10/564-S/2012/788) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel,

the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) **Riyad Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations
